

**MINUTES BOARD OF TRUSTEES MONTHLY MEETING
JULY 9, 2013**

The Village of Cold Spring Board of Trustees held their regular monthly meeting on Tuesday, July 9, 2013 at Village Hall, 85 Main Street, Cold Spring, NY beginning at 7:30 pm.

ATTENDING: Mayor J. Ralph Falloon and Trustees Matt Francisco, Bruce Campbell, Charles Hustis, III and Stephanie Hawkins

ALSO ATTENDING: Stephen Gaba, Village Attorney; Ellen Mageean, Village Accountant

ABSENT: William Bujarski, Building Inspector

Mayor Falloon called the meeting to order followed by the Pledge of Allegiance. The **attached** proclamations honoring former Planning and Historic District Review Board members were read. Joseph Barbaro, Peter Downey and Placito Sgro were thanked for their many years of dedicated service to this community.

APPROVAL OF MINUTES

Trustees Hustis moved to approve of the following minutes: 6/4/2013, 6/10/2013, 6/11/2013, 6/18/2013, 6/20/2013, 6/26/2013, 6/27/2013, and 7/2/2013. Motion seconded by Trustee Campbell and unanimously approved.

FINANCIAL REPORT

Bank balances were reviewed. The village collected approximately 91% of the total taxes for a total dollar amount of \$1,390,953.92. The taxes paid and unpaid have been reconciled to the tax roll and are in agreement.

Audit confirmations have been prepared and sent to Sedore & Company for mailing.

The accountant is working on the AUD during the month of July and will have it filed with the state by the end of the month.

The accountant clarified questions regarding invoices from Pidala Electric which was followed by approval of this bill for payment.

WATER AND WASTEWATER REPORT

Increased flows into the distribution system were a direct result of the water main project. Since the bypass piping was taken out of service, flows are back down to normal levels.

The water main project has essentially concluded. The remaining work consists of a couple of service line connections, and the restoration of pavement. The water department will plan flow testing with the fall hydrant flush, in late September. At that point, the water department will see changes in flow rates through the newly lined main. MSI personnel were thanked for their professionalism.

The total rainfall recorded in the facility on Fair Street was 9.59" for June. The 34% increase in flow to the facility for the month illustrates that the inflow and infiltration influence from precipitation still exists in our collection system.

A resident's sewer service line was damaged during Central Hudson's installation of a utility pole. The line has been repaired but this raises an issue of liability for marking private service lines by the village. Further discussion on amending village policies was requested.

POLICE AND JUSTICE COURT

During the month of June 2013, the Cold Spring Police responded to 91 calls for service. Ninety tickets were issued to motorists: 27 for speeding, 75 parking tickets. No major incidents were reported in June.

The Justice Court collected \$7,580 during the month of June.

ADDITIONAL MONTHLY REPORTS

Recreation Commission- Request for use of Mayor's Park Pavilion on July 23, 2013 for a barbeque was received from Moms Demand Action. Trustee Campbell moved to approve this application and seconded by Trustee Hustis and unanimously approved.

Special Board for the Comprehensive Plan/ Local Waterfront Revitalization Plan (LWRP) - The NYSDOS has informed the village that draft land use laws and other code changes necessary to implement the LWRP must be included in the plan. The Special Board pointed out that funding to draft land use laws is available through the Consolidated Funding Application (CFA). Ted Fink of GreenPlan has offered his services to prepare any grant applications without charge.

In light of the uncertainty regarding draft code changes, and with funds for consulting work under the current State grant now exhausted, the Special Board voted at the June 27th meeting to suspend their work and GreenPlan's services.

Planning Board Liaison- At their July 3rd meeting, the Planning Board passed a resolution to declare their intent to be lead agency for review of the Butterfield project. By majority vote, Barney Molloy was nominated as chair of their board.

Zoning Board of Appeals liaison- Alison Anthoine will be an alternate member of the ZBA. The ZBA awaits a response from Special Counsel Warren Replansky regarding the Peehl/ Hall application.

Chamber of Commerce Liaison- Chamber is planning their winter Shop Putnam promotion. The Chamber is awaiting HDRB approval for Main Street planters.

Historic District Review Board liaison- Kathleen Foley was voted Vice Chair. The board has focused on research related to The Grove. The board is preparing comments on the environmental assessment form for the Butterfield project and is awaiting new timelines from the Planning Board.

Tree Committee- Residents on High Street and Chestnut Street have offered to pay for two street trees. Trees will be selected for planting in early September to best promote healthy root growth. A source of inexpensive and reliable tubelings has been identified for the Village Tree Farm inventory.

Putnam County liaison- The village is waiting to hear from Putnam County on dates that heads of Planning and Economic Development will be available to attend a village board meeting.

Cold Spring Boat Club- Senior Citizens and members of the Garden Club have enjoyed picnics held at the boat club. Trustee Campbell reminded residents of the Salute to Freedom boat event scheduled for 7/20/2013 to honor wounded warriors.

REPORT OF THE MAYOR AND BOARD OF TRUSTEES

Trustee Francisco communicated with Kieran Boyle of the Spain Agency (village insurance carrier) about mitigating risks associated with accessing The Grove. Mr. Boyle agreed that it was in the Village's favor to have a structural assessment by an engineer and encouraged the use of hold harmless agreements. Further, it was confirmed that volunteer board members would be covered as employees under the village's general liability and workers' compensation insurance.

Trustee Hawkins presented the Town of Philipstown's request for a letter and resolution supporting a Hudson Fjord Trail grant application. This application anticipates that the village will contribute to the project but the village board will need to decide on the support we can pledge. It is contemplated that the village will contribute toward the installation of a sidewalk along Fair Street, signage and removal/ replacement of fencing. The part of this project that will be funded within the village boundaries is estimated at \$69,000. There was discussion about the village's contribution, including in-kind services provided by existing personnel.

After discussion, Trustee Hawkins moved to send a letter supporting the project and seconded by Trustee Campbell and unanimously approved.

At a future meeting, the board will consider a formal resolution addressing our participation. Trustee Hawkins will follow up next week.

Trustee Campbell reported on a successful Independence Day Celebration. He read the names of WWII Veterans who were honored in a proclamation (**attached**) read at the opening ceremony.

Mayor Falloon thanked volunteer board members for their service.

Mayor Falloon appointed Barney Molloy as chair of the Planning Board. Trustee Campbell moved to approve this appointment and seconded by Trustee Francisco and unanimously approved.

CORRESPONDENCE

The EPA has released the fourth five year report for the Marathon Battery Superfund site. Report is available for review at the village office and will be placed on the website. The board will consider holding a future workshop on this matter.

Yellowbook will begin curbside delivery on 9/27/2013.

OLD BUSINESS- none

NEW BUSINESS

Attorney Gaba provided information on the Uniform Notice of Claim Act. After his comments, the board read and voted on the following resolution.

RESOLUTION #31-2013

WHEREAS, under the “Uniform Notice of Claim Act” (General Municipal Law §53) villages are required to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim, and

WHEREAS, the “Uniform Notice of Claim Act” requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the Village’s agent, and

WHEREAS, pursuant to General Municipal Law, §50-c(1) (a), the applicable time limit for the filing of a notice of claim upon a village is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent’s estate,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That pursuant to the Uniform Notice of Claim Act the New York Secretary of State is the Village of Cold Spring’s agent for service of notices of claim;
2. That the Village Board designates Mary Saari, in her capacity as the Village Clerk, to receive notices by mail from the Secretary of State at Village Hall, 85 Main Street, Cold Spring, New York 10516; and
3. That the Village Board hereby directs the Village Clerk to file the required certificate, a copy of which is attached, with the Secretary of State informing the Secretary of the village’s designation and the applicable time limitation for filing a notice of claim with the Village.

Trustee Hawkins presented the foregoing resolution which was seconded by Trustee Francisco,

The vote on the foregoing resolution was as follows:

Matt Francisco, Trustee, voting	YES
Bruce D. Campbell, Trustee voting	YES
Charles E. Hustis III, Trustee voting	YES
Stephanie Hawkins, Trustee, voting	YES
J. Ralph Falloon, Mayor, voting	YES

Resolution officially adopted on July 9, 2013 by a vote of 5-0.

PUBLIC COMMENT

Anne Impellizzeri, speaking as a citizen observer, expressed her deep concern about the process she has observed for the selection of an engineer and planner. Her main concern is that the choices have not been arrived at in any systematic way and this decision has important long-term implications.

Frank Haggerty had comments on three topics:

1. Funding for Fjord trail – Could a local presentation on these improvements generate interest of residents/ businesses to donate on behalf of the village
2. The Grove- perhaps could dovetail with Boscobel to refurbish the building
3. Main Street tunnel – consider advertising in the tunnel to generate revenues that could be dedicated to underpass maintenance.

Michael Armstrong wanted to know the status and timeline for the village's repair of the sagging porch at The Grove building.

Trustee Hawkins moved to adjourn and seconded by Trustee Francisco and unanimously approved.

Respectfully submitted,

Mary Saari, Village Clerk